

Waivers	First Name	Last Name	Claim Number
			W-18-0049
Amount	OGC Received Date	Assigned To	Assigned Date
\$2289.87	09/26/2018	Mary O'Lone	09/26/2018
EPA Decision	EPA Decision Date	Amount Approved	Status
APPROVED	07/31/2020	\$1753.32	CLOSED
Appeal	Comments		
No	7/31/2020 Waiver approved in part and denied in part. Explanation attached.		

7/28/20 draft decision sent to Ken & Ann.

7/21-28: Back and forth w/IBC to respond to questions. Waiting to get confirmation on description of how 08 debt occurred and the amount of overpayment for that pay period.

7/21- Mtg w/Ken & Ann. Need to explain how tax credit creates debt and whether it is overpayment of pay or tax owed to IRS. Sent question to IBC.

7/13 [REDACTED] said he wants the waiver decision & sent the ELSs.

6/30 - emailed [REDACTED]: In order to complete the review of your waiver request we will need copies of your Earning and Leave Statements for the last pay period in 2016 and pay periods 01 through 09 of 2017.

6/22 - 29 back & forth w/IBC about reasons and amounts of overpayment by pay period.

6/22/20 WFC responds he knew about annual cap, which is not relevant or disputed. Provides no documentation for statement that he contacted his supervisors about individual overpayments.

6/18/2020 asked WFC for documentation of statement it wrote to IBC that [REDACTED] contacted his supervisors about the overpayments at the time b/c [REDACTED] says he didn't look at his ELSs & didn't know he was being overpaid. And if he didn't think he was being overpaid why would he contact his supervisors about suspected overpayments?

6/15-22 received more information from IBC.

6/8/20 received ELSs & bills from IBC. Asked if payment was lump sum & when he worked the overtime.

6/5/20 requested information on debt from IBC.

5/4/20 [REDACTED] stated in email & on phone he would like to continue with his waiver request.

05/01/20 asked WFC if [REDACTED] withdrew his waiver request.

02/26/20 debt was paid in full via voluntary payroll deductions and was closed by IBC.

4/16/20 transferred to Mary O'Lone

Type
Pay Cap Exceeded

Attachments

Explanations from IBC

ELSs from [REDACTED]

ELSs from IBC

[REDACTED] documents

From: Russell, Heather
Sent: Wednesday, September 26, 2018 1:57 PM
To: Redden, Kenneth <Redden.Kenneth@epa.gov>
Cc: Hendrickson, Peter <hendrickson.peter@epa.gov>; Luebbering, Gregory <luebbering.gregory@epa.gov>
Subject: Payroll in-service waiver request for [REDACTED]

Please see attached waiver request for [REDACTED]. This previously terminated debt for [REDACTED], debt ID M17233001) has been reinstated (see below) . He has completed the waiver form and provided supporting documents. Thanks!

From: Gray, Richard
Sent: Monday, September 10, 2018 1:59 PM
To: Lori J Tolin <lori_j_tolin@ibc.doi.gov>; Crosser, Trina
<trina_1_crosser@ibc.doi.gov>
Cc: Conklin, Jeanne <Conklin.Jeanne@epa.gov>; Jones-Peeler, Meshell
<Jones-Peeler.Meshell@epa.gov>; Hendrickson, Peter
<hendrickson.peter@epa.gov>; Stewart, Leonice <Stewart.Leonice@epa.gov>;
Lavergne, Dany <lavergne.dany@epa.gov>
Subject: FW: Compromise Decision Debt ID M1723300001

Hi Lori/Trina,

Please reinstate the previously terminated debt for [REDACTED]
([REDACTED], debt ID M17233001). A decision to reverse the
terminated debt has been made. Upon re-establishment, the employee's
waiver request should be noted, status updated, and package sent to EPA's
OGC for consideration (see attached waiver package). Contact me if you
have questions or concerns regarding this request. Please accept my
apology for all the extra time and effort this matter has caused.
Thanks.

Richard J. Gray ?Associate Deputy Controller ?Office of the Controller
U.S. Environmental Protection Agency ?1200 Pennsylvania Ave NW (MC2733R)
?Washington, DC 20460
(202) 564-0968 ? gray.richard@epa.gov

From: Conklin, Jeanne
Sent: Monday, September 10, 2018 1:01 PM
To: [REDACTED]
Cc: Gray, Richard <Gray.Richard@epa.gov>
Subject: Compromise Decision Debt ID M1723300001

Dear [REDACTED]

On August 21, 2018, I informed you that I was re-opening the
above-referenced case (Compromise Decision, M1723300001, in the amount of
\$2,289.87). In a November 6, 2017 decision, a compromise was approved
based on an OGC decision involving a similar situation on same matter.
The debt was terminated based on additional information this office
received while working with the Office of General Counsel (OGC) in
investigating the erroneous overpayment.

Based on several communications with the Interior Business Center (IBC), IBC retroactively applied the 2017 time and attendance corrective actions to your 2016 pay. As a result of this retroactive application, you effectively received payment in 2016 and therefore exceeded the mandatory annual pay cap in 2016. OGC subsequently reversed their decision on the case involving the same subject matter and since you did exceed the annual salary cap in 2016, without systematic reductions in your 2017 pay, I can no longer find that the debt should be terminated. In this regard, I am vacating that portion of the November 6, 2017 decision. OCFO will work with IBC to pursue collection of this debt. Your initial request for waiver will be forwarded to OGC for their review and consideration. In a request for consideration, you may present new factual information that might cause the Claims Officer to overturn the prior decision.

Under 40 C.F.R. §13.11(c) (iii), I have the delegated authority to waive all or part of the interest, penalty, and administrative charges which have accrued on this debt. In this regard, I am directing the IBC to waive any portion of the debt that will be collected attributable to interest, penalty, and/or administrative charges.

Thank you.

Jeanne

Jeanne Conklin, CGFM, CGMS
Controller
Office of the Controller
Office of the Chief Financial Officer
U.S. ENVIRONMENTAL PROTECTION AGENCY
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
(202) 564-5342 (o) (202) 494-7463 cell

From: Head, Barbara On Behalf Of Conklin, Jeanne
Sent: Tuesday, August 21, 2018 11:33 AM
To: [REDACTED]
Cc: Conklin, Jeanne <Conklin.Jeanne@epa.gov>; Gray, Richard <Gray.Richard@epa.gov>
Subject: Compromise Decision Debt ID M1723300001

Good morning [REDACTED],

This email is to inform you that, as the Controller in charge of

non-Federal debts, I have decided to re-open this case (Compromise Decision, M1723300001, in the amount of \$2,289.87). It has come to my attention that the facts upon which OGC relied in making their decision to terminate a similar case, which was a major factor in your compromise decision, may not have been accurate. Specifically, I am re-examining whether the annual premium pay cap was exceeded in 2016 and, if so, whether your biweekly payments in subsequent years were adequately reduced to compensate for the exceedance.

I intend to issue a decision within the next 30 days. If you have any information you feel would be relevant to my decision, please send it to Richard Gray, Associate Deputy Controller, immediately. He can be reached at gray.richard@epa.gov or (202)564-0968. Thank you.

Jeanne

Jeanne Conklin, CGFM, CGMS
Controller
Office of the Controller
Office of the Chief Financial Officer
U.S. ENVIRONMENTAL PROTECTION AGENCY
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
(202) 564-5342 (o) (202) 494-7463 cell
<image005.png>